

REMARKS

Claims 1-7 remain in this application.

The Office Action requires election of a species from the following: Group I, drawn to Figs. 1-3; Group II, drawn to Fig. 4; Group III, drawn to Figs. 5-7; Group IV, drawn to Fig. 8; Group V, drawn to Fig. 9; Group VI, drawn to Figs. 10 and 11; and Group VII, drawn to Fig. 12.

Applicants elect Group VII directed to Fig 12, upon which claims 1-5 read.

Claim 1 is generic.

The present application is a National Stage PCT Application filed under 35 USC §371. Accordingly, election of an invention is not required where a unity of invention exists among the claims. PCT Rules 13.1 and 13.2 are to be followed in making a unity of invention determination without regard to restriction practice in applications filed under 35 USC §111. MPEP §1893.03(d). Similar considerations apply to genus/species or combination/subcombination situations. MPEP §1850 (A).

Applicant traverses the restriction on the grounds that the restriction is improper because it is asserted under 35 USC §121 and therefore applies an incorrect standard. The present application is a National Stage PCT Application filed under 35 USC §371. Accordingly, restriction is not required where a unity of invention exists among the claims. MPEP §1893.03(d). PCT Rules 13.1 and 13.2 and 37 CFR 1.475 are to be followed in making a unity of invention determination without regard

to restriction practice in applications filed under 35 USC §111. MPEP §1850. Unity of invention is demonstrated by claim 1 subject matter being generic and including an angular contact rolling bearing on a companion flange side. Should the restriction requirement not be withdrawn, applicant respectfully requests that a further action applying the correct standard be issued.

In view of the above, reconsideration and withdrawal of the restriction requirement are respectfully requested.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,
Jordan and Hamburg LLP

By C. Bruce Hamburg
C. Bruce Hamburg
Reg. No. 22,389
Attorney for Applicants
by and,

By Herbert F. Ruschmann
Herbert F. Ruschmann
Reg. No. 35,341
Attorney for Applicants

Jordan and Hamburg LLP
122 East 42nd Street
New York, New York 10168
(212) 986-2340